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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 DAVID KENT FITCH,

15 Defendant.
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Case No. 2:04-cr-00262-JCM-PAL

**Supplement to Reply in Support
of Emergency
Motion for Order Reducing
Sentence or Modifying Judgment
under 18 U.S.C. § 3582 (C)(1)(A)(I)
and Authorizing Any Remaining
Portion of His Sentence to be
Served on Home Confinement**

**(Expedited Ruling Requested
Due
to COVID-19 Pandemic)**

21 Mr. Fitch requests leave to file this supplement based on newly discovered
22 information that may materially impact this Court's decision whether to grant
23 compassionate release.

24 On June 17, 2020, undersigned counsel learned from the BOP website that
25 one person is now positive for COVID-19 at Greenville FCI, where Mr. Fitch
26

lives.¹ To date, only 37 people living in that facility have been tested for the virus and 16 of those tests remain pending.

GILMER FCI	28	45	5
GREENVILLE FCI	37	16	1
GUAYNABO MDC	47	11	0

As COVID-19 has officially penetrated the prison's walls, Mr. Fitch's likelihood of contracting it has undoubtedly increased.

DATED this 17th of June, 2020.

RENE L. VALLADARES
Federal Public Defender

By: /s/ Margaret W. Lambrose

MARGARET W. LAMBROSE
Assistant Federal Public Defender
Attorney for David Kent Fitch

¹ <https://www.bop.gov/coronavirus/>

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on June 17, 2020, she served an electronic copy of the above and foregoing **Supplement to Reply in Support of Emergency Motion for Order Reducing Sentence or Modifying Judgment under 18 U.S.C. § 3582 (C)(1)(A)(I) and Authorizing Any Remaining Portion of His Sentence to be Served on Home Confinement (Expedited Ruling Requested Due to COVID-19 Pandemic)** by electronic service (ECF) to the person named below:

NICHOLAS A. TRUTANICH
United States Attorney
NANCY M. OLSON
Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

/s/ Marlene Mercado
Employee of the Federal Public
Defender